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COMMITTEE ON THE RIGHTS OF THE CHILD

Eighth session

SUMMARY RECORD OF THE 110th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 January 1994, at 3 p.m.

Chairperson: Mrs. HODA BADRAN

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The meeting was called to order at 3.20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION (agenda item 4) (continued)

Initial report of Namibia (continued) (CRC/C/3/Add.12; CRC/C.4/WP.4)

1. The CHAIRPERSON invited members of the Committee to put to the representative of Namibia any additional questions they might have concerning civil rights and freedoms (chap. IV of the report) (CRC/C/3/Add.12). She drew their attention to the questions under that heading in the list of issues (CRC/C.4/WP.4) which were as follows:

"Civil rights and freedoms

"(Arts. 7, 8, 13-17 and 37 (a) of the Convention)

"1. Given the size of Namibia and its lack of adequate communication infrastructure, please indicate how the registration of births within the 14 days prescribed by law is ensured, particularly in the rural areas.

"2. Please indicate to what extent measures taken in the field of civil and political rights have had any positive impact on children. Are any difficulties encountered in the implementation of these rights?"

2. Mr. KOLOSOV asked, with regard to article 5 of the Convention, how children's privacy was protected and whether, according to tradition in Namibia, a child was regarded as his or her parents' possession. Although the Constitution of Namibia was quoted many times in the report, there was not enough information on how its provisions were applied in practice for children.

3. Mrs. SANTOS PAIS noted, with regard to civil rights and freedoms, that countries tended to quote their constitution in their reports instead of giving specific examples, and that they provided little information on the application of rights and freedoms to children. Like Mr. Kolosov she wanted to know how the civil rights and freedoms recognized in the Constitution were applied to children in Namibia.

4. In respect of article 37 of the Convention, she asked whether children under 18 years of age who had committed crimes could be sentenced to life imprisonment. Paragraph 122 of the report stated that life imprisonment was not mandatory but left to the discretion of the judge. What criteria did judges use in reaching their decision? In that regard, she noted that discretionary powers were always dangerous, as experience in her own country had shown.

5. Mrs. SARDENBERG asked, with reference to paragraphs 89 and 90 of the report, whether children had also been reported missing during the war in Namibia. If so, what steps had been taken to find them? In respect of paragraph 90, she would appreciate more information on the reintegration of children returning from exile after independence.

6. Mrs. AMATHILA (Namibia), replying to Mrs. Sardenberg, stated that during exile there had been a centre for children up to six years of age where those whose mother had died or had been disabled had been placed in the care of another woman. The camp had held 300 women, 700 children and 40 men, and children had been given monthly medical examinations. Once exile was over, the mothers had been able to take their children back to their country. Some had been reintegrated into their families, while others had been adopted; she herself had adopted a child whose mother had died when he was two years of age. The reintegration of those children had not, therefore, raised any problems. That had not been so in the case of approximately 140 children who, following the shelling of Kasinga in 1978, had been sent to a hostel which had been set up for them in Germany and who had experienced great difficulties in readapting to their country when they returned after the war, despite the efforts of the Government which had placed them in German schools in Namibia and in the homes of German-speaking Namibians. The other children who had returned from exile had been successfully reintegrated. One example was a school for Namibian children located in the Congo and then successfully transferred to Namibia.

7. As to persons reported missing, the Namibian authorities had asked the International Committee of the Red Cross (ICRC) for assistance in finding them. They were difficult to locate, particularly, as some of them had changed their names. Media appeals had helped to find many children.

8. She emphasized that the death penalty had been abolished in Namibia, and in that connection referred to the case of a child-killer: the authorities had refused to restore the death penalty as demanded by the outraged public during demonstrations that had been reported by the media. One school of thought feared that the abolition of the death penalty had had an adverse effect on the crime rate.

9. With regard to children's privacy, she explained that the names of children found guilty of a crime could not be published and that their trials were held in camera.

10. Replying to Mr. Kolosov, she acknowledged that, in Namibia, parents who were responsible for their children generally believed that they belonged to them and that it was their duty to punish them if they deserved it, even though corporal punishment was prohibited. Parents were strict with their children although less than in the past, as in other countries, and at present children had the right to speak out and could ask their parents questions, even if delicate.

11. Mrs. SANTOS PAIS said she was pleased that the Committee had the opportunity to welcome the representative of Namibia at a time when its Children's Act was being amended; she wished, on behalf of the Committee, to make a number of suggestions relating to the Convention which could be borne in mind by the authorities in the context of that amendment process. She was aware how difficult it was to reconcile the rights of parents and those of children.

12. Reverting to the question of life imprisonment, she said that in her opinion such punishment should not be applied, regardless of the crime committed, since it could permanently mar the child's personality; as a result the child could not subsequently be reintegrated into society and would be unable to assume the constructive role referred to in article 40 of the Convention. She recommended that Namibian authorities should bear the Committee's concern in mind when reviewing the Children's Act and do away with life imprisonment for children.

13. Miss MASON said that she would appreciate clarification of paragraph 110 of the report which mentioned a legal provision authorizing the courts to exclude persons under the age of 18 from criminal proceedings and protect children against harmful information. What was the nature of such harmful information?

14. Mrs. AMATHILA (Namibia) said she was not in a position to reply as she did not have the legal provision in question (Criminal Procedure Act No. 51, 1977, sec. 153/6).

15. She explained that only children who had committed heinous crimes were sentenced to life imprisonment. As a rule such children were sent to rehabilitation centres. Lastly, in reply to the suggestion made by Mrs. Santos Pais, she said that, although the judiciary was independent, she would inform the relevant authorities of the Committee's concerns.

16. The CHAIRPERSON invited members of the Committee to refer to the questions under the heading "Family environment and alternative care" in document CRC/C.4/WP.4 which read as follows:

"Family environment and alternative care
(Arts. 5, 18, paras. 1-2, 9, 10, 27, para. 4, 20, 21, 11, 19 and 39, 25 of the Convention)

"1. What is the procedure where one parent fails to honour his/her obligations regarding maintenance? What is the extent of the State's responsibility?

"2. According to paragraph 150 of the report, a parent who does not have guardianship and custody of the child could be denied access to the child. Is such a measure considered to be fully compatible with the best interests of the child as far as provisions of article 9, paragraph 3 of the Convention are concerned?

"3. According to paragraph 144 of the report, the Labour Act is silent on the issue of time-off for breast feeding. Has there been any progress in this area?

"4. Please indicate the difficulties encountered and progress made in the area of reunification or adoptions following the end of the struggle for independence.

"5. Please provide further details on the measures to protect children from abuse and neglect (paras. 219-220).

"6. Are there any further programmes envisaged for training social workers (para. 225 of the report)?"

17. Mr. HAMMARBERG noted with interest that the existence of family problems was recognized by the Namibian authorities, unlike certain Governments which denied their existence or maintained that they were none of their business. He also welcomed the fact that the Namibian authorities had launched a Family Life Empowerment Programme (para. 124 of the report). What progress had been made with its implementation?

18. In the framework of that programme, paragraph 127 mentioned the concept of early childhood protection and development, which was an innovative approach that could inspire other countries. In his opinion, given the problems faced by families (alcoholism, abused children, battered wives) more social workers would be needed.

19. Monsignor BAMBAREN GASTELUMENDI said he would like more information on the ill-treatment of children within the family (exploitation of children, child prostitution arranged by the family, incest and abandonment) and on the situation of abused children in reception centres.

20. Mrs. EUFEMIO said that although the Family Life Empowerment Programme was a welcome development, she would like it to cover not only children and women as mentioned in paragraph 124 of the report, but also fathers, who appeared to be the cause of many problems. She would also appreciate information on whether a pre-marriage counselling service was available for persons wishing to get married.

21. Mrs. SANDENBERG asked, with reference to paragraph 157 of the report, who took care of children whose mothers were in prison. There was a potential role for international cooperation in that respect. Referring to paragraph 176, she requested clarification concerning reception and training centres, and the kind of children that attended them. With regard to paragraph 190 of the report, she would also like more information on the programmes launched by the authorities to help street children. Finally, with reference to paragraph 208 of the report, she asked why the intercountry adoption of children was illegal in Namibia.

22. Mrs. AMATHILA (Namibia), replying to the question on intercountry adoption, stated that the practice was prohibited because there was already a long list of persons wishing to adopt a child in Namibia and it was preferable for Namibian children to remain in their own country.

23. Moving on to the question of street children, she said a survey had revealed that 95 per cent of such children could spend the night at their parents' home and that 99.9 per cent of them were boys aged between 7 and 14 years of age. The survey had also shown that street children earned their living through theft and that older children stole the earnings of the younger ones. Under a programme that had been drawn up food was being distributed to street children with the assistance of large hotels and in that way their

confidence was gradually being won. Subsequently, manual labour courses (carpentry, cooking, etc.) had been laid on for them. The parents of street children had been tracked down and single mothers were given assistance in finding employment so that they could provide for their own and their children's needs. Six months after the programme had been launched, the street children it covered had been sent to school. Only 10 children had dropped out, while the others had sat their examinations.

24. With regard to reception and training centres, she said that there was only one such centre in Namibia, namely, a rehabilitation centre for young offenders. It provided general education and taught young offenders a manual trade. Unfortunately, it was open only to boys. Two other centres were planned, one for boys and the other for girls.

25. There were no marriage counsellors in Namibia who could advise young persons before they got married, not were there any rehabilitation centres for alcoholics. Such institutions should be set up as soon as possible.

26. With regard to the Family Life Empowerment Programme, she stated that it had only just been finalized and was not yet fully operational. The authorities had realized that the first step was to inform women of their rights. A Centre for women and abused children had been established and was open, inter alia, to battered wives and rape victims. A family atmosphere prevailed and women police officers looked after women who had been raped. They were not obliged to identify their aggressor in public and thereby risk subsequent retaliation, but could do so from behind a two-way mirror. One of the purposes of the Family Life Empowerment Programme was to reunite families and encourage men to lend a hand with women's chores. It was also intended to provide families with information on health matters and encourage the establishment of village kindergartens so that mothers could enjoy some respite and children could play together instead of having to do various chores.

27. Social workers were trained at the University of Namibia. However, they needed practical training which they received by working in the field, in villages, so that they could become familiar with the specific problems that arose in communities.

28. The CHAIRPERSON invited the members of the Committee to consider chapter VI of Namibia's report (CRC/C/3/Add.12), entitled "Basic health and welfare". She drew their attention to the issues to be taken up under that heading in document CRC/C.4/WP.4, namely:

Basic health and welfare

"(Arts. 6 para. 2, 23, 24, 26, 18 para. 3, 27, paras. 1-3 of the Convention)

"1. What proportion of the national health budget is allocated to curative and preventive services? To what extent is the health budget oriented towards children?

"2. What is the epidemiological pattern of perinatal, under five and maternal mortality and morbidity, malnutrition, AIDS/HIV infection and other serious problems?

"3. Has the national demographic health survey referred to in para. 238 been completed and, if so, what are the results, preliminary or final?

"4. Are there any major obstacles still encountered in improving the situation of disabled children as regards efforts to rehabilitate them and what is the role played by international cooperation?

"5. Has the new social security package (para. 298 of the report) been completed and, if so, how does it operate?"

29. Monsignor BAMBAREN GASTELUMENDI wished to know what social protection was available for working children.

30. Mr. HAMMARBERG asked whether there was any programme for the rehabilitation of handicapped children at the community level and, if so, what were the results of its implementation.

31. Mrs. AMATHILA (Namibia), replying to the question put by Monsignor Bambaren Gastelumendi, said it was illegal to employ children. Anyone caught doing so was liable to a fine of 20,000 Namibian dollars and two years' imprisonment.

32. On the question of street children, in addition to the rehabilitation programme she had already mentioned, the authorities proposed to construct a children's recreational centre to prevent children from going to play in the street. The State had received a grant from China for that purpose. The centre's facilities would include sporting equipment, a gymnasium, and a classroom in which children could do their homework. It would be open every day from 11 a.m. to 6 p.m. Anyone who found a child playing in the street would be able to take him or her to the centre. The centre would be established in the capital and, depending on the results achieved, additional ones would be built in other regions.

33. Allowances were paid to grandparents who cared for their grandchildren, which was very often the case in the villages. In addition, the Ministry of Agriculture had launched a programme under which food was distributed to destitute persons and to persons living in drought-affected regions. Moreover, women who had just given birth were entitled to three months' maternity leave and received an allowance during the entire period. However, the beneficiary must have held a job for at least a year in order to qualify for that benefit. Under the law, an employer could not refuse to hire a young woman for fear of being obliged, if she became pregnant, to pay her the allowance during her maternity leave. The Government had established a special fund for employers who lacked the means to pay the allowances in addition to the wages of the worker's replacement.

34. Turning to the question of women prisoners, she indicated that they had the right to keep their newborn infants with them. In any event, very few crimes were committed by women and, consequently, very few women were in prison.

35. Disabled children were cared for at various centres. While it would certainly be preferable to integrate them into the normal school system, it was feared that they might be rejected by the other children or that teachers might not have the patience required to deal with them. There was as yet no programme for the rehabilitation of disabled children at the community level. As the economic situation gradually improved, consideration would be given to the gradual development of an arrangement under which such children would be cared for by the community.

36. Miss MASON noted that, according to the report, disability was sometimes considered as a "curse" and wondered whether it would not be possible also to train teachers and social workers to care for the mentally handicapped.

37. Mrs. AMATHILA (Namibia) acknowledged that in Africa families tended to conceal any relative or child who was mentally handicapped. However, that attitude was beginning to change, thanks to education. Very few mentally handicapped persons were in institutions. The authorities were currently conducting a survey to determine the number of mentally handicapped persons in the country and to define various types of disability. When the results of that survey were known it would be possible to begin to teach the community how to care for the mentally handicapped.

38. Monsignor BAMBAREN GASTELUMENDI said that his question did not concern the exploitation of children but rather whether social protection was available to children who were obliged to work. He noted that in countries with high levels of poverty and malnutrition, children were often obliged to work.

39. Mrs. AMATHILA (Namibia) reiterated that it was illegal to employ children and that primary education was compulsory. She recognized, however, that children in rural areas sometimes participated in work on the farm. That was not considered as employment in the strict sense, however, since they merely assisted their family and received no wages. None the less, as soon as the authorities began to implement the family programme, they would go into the rural areas to meet families with working children in order to see what assistance could be given to parents to ensure that their children attended school.

40. The CHAIRPERSON invited members of the Committee to consider chapter VII of Namibia's report (CRC/C/3/Add.12) entitled "Education, leisure and cultural activities". She recalled that the issues to be taken up under that heading, as contained in document CRP/C.4/WP.4, were as follows:

"Education, leisure and cultural activities

(Arts. 28, 29 and 31 of the Convention)

"1. What portion of the national budget is reserved for primary education and what are the major items in the education budget?

"2. Please provide information on the guidelines formulated at the October 1992 Conference on pre-primary education.

"3. Please indicate whether the new statute governing education (para. 377 of the report) has been completed.

"4. Please indicate whether the National Institute of Educational Development mentioned in paragraph 378 has been established, and whether it is envisaged to integrate human rights education into school curricula."

41. Mrs. AMATHILA (Namibia) said that 28 per cent of the national budget was earmarked for education and repeated that primary education was compulsory. The authorities had launched a literacy campaign, since the rate of illiteracy in the country was very high. Efforts were also being made to encourage higher education, and vocational training centres had been established for those who had dropped out or failed their exams at the end of secondary school in which the success rate was 61 per cent.

42. Mr. HAMMARBERG asked whether the survey of marginalized children envisaged by the Ministry of Education and Culture had been carried out.

43. Mrs. AMATHILA (Namibia) said that a conference on marginalized children had taken place in February 1992 and had defined the various children comprising that category. There were, first of all, the children of semi-nomadic parents, the Bushmen of Namibia and Botswana, for whom programmes had been established to facilitate their integration into society. There were also the children who tended cattle in rural areas, particularly in the north of the country. In that regard, the Minister of Information had managed to obtain the necessary funds for the installation of a satellite which would now make the entire population accessible by radio. Furthermore, children working on farms received a housing subsidy. Special measures were taken to assist unemployed parents and to encourage them to keep their children at home. Children living in road camps did not attend school but were provided with special hostels.

44. The CHAIRPERSON, speaking as a member of the Committee, requested information on the present rate of school enrolment.

45. Mrs. AMATHILA (Namibia) said that, unfortunately, she did not have the precise figures on the school enrolment rate. Prior to independence, education in Namibia had been administered on an ethnic basis, with 11 separate education systems for persons according to the "population groups" identified by the colonial administration: Whites, Coloureds, Namas, Damaras, Ovambos, Kavangos, Caprivians, Hereros, Tswanas, Basters and Bushmen. There was now a single school programme. Namibian schools were open to all children, although significant disparities still existed between modern schools in the towns and schools in rural areas, which lacked textbooks and basic teaching materials. That disparity also explained the marked decline in school attendance, although it appeared to have increased over the previous two years.

46. Mrs. SARDENBERG said that, given the lack of qualified teachers in Namibia, it would be useful to have more details about the In-Service Teacher Training Programme.

47. Mrs. AMATHILA (Namibia) said that the Programme covered some 800 of the teachers employed in the country who were replaced by Peace Corps volunteers. The disparity in the training received by teachers was declining, thanks to the methods that had been developed to improve their knowledge of English and of the various sciences.

48. Mr. KOLOSOV wished to know whether UNESCO participated in any cooperative activities with Namibia.

49. Mrs. AMATHILA (Namibia) said that cooperation programmes had been established with UNESCO and hoped to be able to provide more detailed information about them at a later date.

50. Miss MASON asked what place video games occupied in leisure activities in Namibia.

51. Mrs. AMATHILA (Namibia) said that Namibia did not have a video games culture and that only a very small number of children in the country had access to television sets (such as those attending private schools and the children of foreigners).

52. The CHAIRPERSON invited members of the Committee to consider chapter VIII of Namibia's report, entitled "Special Protection Measures", having regard to the questions contained in document CRC/C.4/WP.4, namely:

"Special protection measures

"(a) Children in situations of emergency

(Arts. 22, 28 and 39 of the Convention)

"1. Please indicate how many refugees are presently in Namibia, their origin and how many of them are children. What are the specific problems in connection with their protection and assistance?

"2. To what extent is the Government's policy towards refugee and displaced children consistent with the principles of non-discrimination, best interests of the child, the right to life, survival and development and respect for the views of the child?

"3. Please indicate the concrete measures taken for the implementation of article 39.

"(b) Children in conflict with the law

(Arts. 37, 39 and 40 of the Convention)

"4. Please provide further information on the treatment of young offenders especially in relation to:

- the alternative measures to imprisonment given the lack of social workers to effectively monitor such a situation;

- the monitoring of the available custodial institutions;

- the complaint procedures in cases of ill-treatment within these institutions;

- the availability of education and health facilities within these institutions;

- the level of training for personnel in these institutions and the possible recruitment of more social workers to assist in the rehabilitation process;

- the measures taken for the physical and psychological recovery and social reintegration of children in accordance with article 39.

"5. Please provide information on the progress made in implementing the projects of the Ministry of Youth and Sport to assemble information on juvenile crime (para. 446 of the report) and to establish a network of regional youth resource centres as a measure of prevention (para. 447).

"(c) Children in situations of exploitation

(Arts. 32 to 36 and 39 of the Convention)

"6. Please indicate which, if any, Acts of Parliament have been invoked (under art. 15 (3) of the Constitution) to allow children under the age of 14 to work in factories or mines?

"7. What measures have been taken to ensure the implementation of the new Labour Act establishing a minimum age for employment, including measures for inspection and sanctions or penalties for non-compliance?

"8. Please indicate difficulties, if any, explaining non-participation of Namibia in ILO Conventions relating to child labour.

"9. Please provide information on the steps taken to protect children from being used as unpaid workers on farms (para. 464).

"10. Please provide information on penalties or other sanctions to ensure the effective enforcement of article 32 of the Convention, including information on the system of supervision such as inspection and on the procedures for imposing such sanctions, and such data as the numbers of inspection visits made, of non-observance of regulations reported and of sanctions imposed.

"11. Please indicate the measures being undertaken to combat the problem of drug and substance abuse and the progress made with regard to the revision of the laws relating to alcohol and drug abuse.

"12. What progress has been made in the establishment of trauma centres to assist in the physical and psychological recovery of victims of sexual abuses (para. 486 of the report)?"

53. Mr. HAMMARBERG, referring to the question of "children in situations of emergency", asked for further information on the problems posed by mine-clearing and alerting the population to the danger of unexploded land-mines in the country.

54. Monsignor BAMBAREN GASTELUMENDI requested specific information on the rehabilitation of children victims of armed conflict and, in particular, of repatriated children.

55. Mrs. AMATHILA (Namibia) said that Namibians in exile had adopted an innovative approach to the task of providing education for exiled children during the long war years, and to facilitating their transition back into Namibia and the Namibian educational system after independence. The children raised in camps in Namibia had not had any family reunification problems, which were experienced above all by children who had studied abroad, and particularly in Germany. In an effort to facilitate the transition, a number of Namibians had been placed with German-speaking foster parents to help soften the cultural shock of returning to a country in which the language and customs seemed alien to them. Refugees continued to arrive in large numbers from Angola or Mozambique owing to armed conflicts. Specific programmes were being introduced for them to facilitate their reintegration in society. Six hundred and seventeen refugees were registered in Namibia, most of them from Angola. However, several hundred Angolans belonging to tribes living in the border regions were not registered. The Namibian Constitution stipulated that illegal immigrants could be expelled only pursuant to a decision by a competent court. The Ecumenical Council of Namibian Churches, UNHCR, UNICEF and the Namibian Red Cross provided education for the children of refugees at the Osire camp. In 1993, 4 teachers had given courses, in Portuguese and English, to 68 children under 6 years of age and 4 others had given courses to 95 pupils over 6 years of age. About a hundred adults attended adult classes conducted in Portuguese and English.

56. Replying to Mr. Hammarberg, she said that explosives posed a real problem at the national level and were the subject of television and radio spots. In 1992, land-mine explosions had caused a large number of accidents, especially among children, but the number had declined in 1993. She appealed to the international community to help by sending mine-disposal experts to Namibia.

57. Mrs. SANTOS PAIS, referring to questions under the "Children in conflict with the law" heading, noted with satisfaction that the administration of juvenile justice in Namibia generally took reasonable account of the best interests of the child. However, she deplored the fact that the age of criminal responsibility had been set at seven years and that in some cases young children were placed in detention centres before being sentenced; that was incompatible with the principle of presumption of innocence. She also regretted that there were no reform schools in Namibia, and only one vocational training establishment to which juvenile delinquents could be sent for training and supervision (Otjizondo School of Industries). The National Legislative Commission should amend the legislation in force on the basis of articles 37 and 40 of the Convention on the Rights of the Child and the principal instruments adopted by the United Nations on the administration of juvenile justice, for example, the United Nations Standard Minimum Rules

for the Administration of Juvenile Justice ("The Beijing Rules"), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines).

58. In that connection, the persons responsible for the administration of juvenile justice (magistrates, judges, prison staff, police officials, etc.) should receive special training to familiarize them with the rights of the child as set out in the Convention. Such training could be organized in cooperation with the assistance programme of the Advisory Services of the Centre for Human Rights and by the Namibian Human Rights Documentation Centre. Finally, she was gratified by Namibia's determination to revise its legislation and improve the situation of children in the country.

59. Mr. HAMMARBERG said that in the course of discussions with representatives of the United Nations at the end of September, the Director of Prison Administration of Namibia had said that 100 to 200 juveniles were being held in the prison of Gobabis and that there were no specific regulations applicable to juvenile delinquents. Moreover, it appeared that conditions in that prison were not very good, particularly in the case of food and hygiene. In the light of the Beijing Rules and the Riyadh Guidelines, the Namibian authorities could, in cooperation with the Advisory Services of the Centre for Human Rights, try to remedy the situation.

60. Mrs. AMATHILA (Namibia) said that no one under the age of 18 was at present being held in prison. Furthermore, the new Children's Act would raise the age of criminal responsibility, which was at present seven years.

61. There was no escaping the fact that the crime rate had risen considerably after independence, with the result that all prisons were overpopulated. She had visited Gobabis prison and had found it well run, although she had admittedly notified the prison authorities of her arrival. Approximately 80 per cent of the prisoners of 18 to 21 years of age had been sentenced for rape, while most of the older ones had been found guilty of damaging property.

62. The criteria for the selection of policemen and prison staff were becoming increasingly strict. They were given appropriate training, particularly on the subject of respect for the fundamental rights of citizens and detainees. That constituted a sea change, since before independence the police had engaged in extortions with complete impunity.

63. Mr. Hammarberg took the Chair.

64. The CHAIRMAN wished to know whether children under 14 years of age could be authorized to work (see para. 462 of the report) and if so, under what conditions.

65. Article 32 of the Convention protected children against all forms of exploitation, including the type of exploitation to which they were subjected on farms. In its written reply, the Namibian Government had said that it would thoroughly investigate the exploitation of children on farms. The Committee hoped that that investigation would be followed up with concrete measures.

66. Mrs. AMATHILA (Namibia) said that, since the preparation of the report, a new Labour Act had been promulgated prohibiting the employment of children under the age of 14, and that a commission had gone round to the farms to investigate the situation of children victims of exploitation.

67. Miss MASON wondered whether it was known why cases of sexual abuse were not generally reported to the police (see para. 486 of the report).

68. Mrs. EUFEMIO wished to know whether enough social workers were available to help children victims of sexual abuse to overcome their trauma.

69. Mrs. AMATHILA (Namibia) said that more and more women victims of rape lodged complaints, since the methods used by the police and the courts were more human and more subtle. Furthermore, it was beginning to be realized that rapists were given prison sentences which could be very heavy. While there was still a deep-rooted prejudice that women were raped because they asked for it, either by dressing provocatively or by going out alone, that attitude was being countered successfully through discussions and information campaigns.

70. The sexual abuse of children and pornography involving children were recent and very limited developments. However, social workers were being trained to assist children victims of such practices.

71. The CHAIRMAN invited members of the Committee to draw their conclusions.

72. Mr. KOLOSOV said he was satisfied with the frank and open dialogue that had taken place between the Namibian delegation and the members of the Committee. He hoped that Namibia would be able to overcome its economic difficulties and that Namibian society would not allow itself to be influenced, inter alia through television, by harmful lifestyles.

73. Miss MASON hoped that the Namibian Government would turn its attention to the question of parental responsibility, sexual abuse within the family and ways of encouraging the victims of such abuse to lodge complaints. Namibian women should continue to be strict in bringing up their children and Namibian society should not allow itself to succumb to the video-game culture. Lastly, she hoped that the Namibian people would preserve their positive traditions and incorporate the positive aspects of customary law in their legislation.

74. Mrs. SANTOS PAIS congratulated the Namibian delegation for its open-mindedness. Namibia should amend its legislation to take account of international human rights instruments, and in particular the Convention on the Rights of the Child in respect of the principle of non-discrimination, the age of marriage, the status of children born outside wedlock, the age of criminal responsibility and conditions of detention.

75. It was also important to promote the rights of certain groups of children requiring special attention, and in particular girls, in order to reduce the school drop-out rate, to prevent teenage pregnancies and to curb the sexist prejudices from which women suffered.

76. An information campaign should also be conducted with a view to encouraging parents to share the responsibility of bringing up their children.

77. The administration of juvenile justice should also be reformed to bring it into line with articles 37 and 40 of the Convention and with relevant United Nations instruments. Similarly, a system should be introduced for the training of judges, legal personnel and law enforcement officials with the assistance of the Advisory Services of the Centre for Human Rights.

78. Mrs. GONCALVES welcomed the political will shown by the Namibian Government, and hoped it would proceed as rapidly as possible with the promulgation of the new Children's Act and the introduction of mechanisms for the implementation of the provisions of the Convention. She also hoped that Namibia would continue to fight against discrimination by means of education and information.

79. Mrs. EUFEMIO was delighted that the members of the Namibian delegation were in such direct contact with the realities in their country. She stressed that laws in themselves would not suffice to alter the situation significantly as long as parents did not change their attitude.

80. The shortage of social workers could be alleviated by allowing them to be assisted by less qualified persons working under their supervision.

81. Mrs. BELEMBAOGO agreed that it was not enough to promulgate new laws, which must be supplemented by measures permitting them to be applied. For example, there was no point in providing for the separation of adult and juvenile detainees unless appropriate facilities were built.

82. Monsignor BAMBAREN GASTELUMENDI congratulated Namibia on the important progress achieved in so short a time. He hoped that the country would preserve its traditional cultural values, particularly in respect of the extended family, and that society would be closely associated with the application of the Convention.

83. The CHAIRMAN thanked the Namibian delegation for supplementing the information provided in its report. He hoped that the dialogue between members of the Committee and the Namibian delegation as well as the final observations of the Committee would help the Namibian Government in applying the provisions of the Convention.

84. Mrs. AMATHILA (Namibia) said she was gratified by the friendly and serious atmosphere that had prevailed during the discussions. The Namibian Government would take full account of the recommendations made by the members of the Committee, in particular in its final drafting of the Children's Act. With regard to UNESCO, she said that that organization was providing crucial assistance to Namibia, particularly in respect of science and culture, development projects and the creation of a university.

The meeting rose at 6.10 p.m.